

### **REMARKS**

Applicant respectfully requests that the above petition submitted concurrently herewith for change of inventorship be accepted and the new declaration entered. In further support of the above request, 37 CFR 1.48(c) allows correction of inventorship in an application where the inventorship has changed due to the claims of the application being amended to address previously unclaimed subject matter. In the above referenced application, an amendment to the claims was filed and entered into the record on July 25, 2008 and those amendments have now been accepted and entered into the record.

On November 20, 2008, the Examiner issued a final rejection wherein the application received a 35 U.S.C. § 103(a) rejection citing US Publication 20050114361 to Roberts, et al (hereinafter "Roberts"). Further with regard to the present application, it should be noted that present application and the Roberts published application are commonly owned by National Information Solutions Cooperative, Inc. as evidenced by the assignments recorded February 20, 2004 (at Reel: 014350 and Frame: 0413) and May 03, 2004 (at Reel: 014559 and Frame: 0254). Responsive to present rejection under 35 U.S.C §103(a), the claimed invention of the present application and of Roberts et al. were concurrently developed, commonly owned, and having at least one named inventor in common the 103 rejection is now rendered moot.

### **CONCLUSION**

It is respectfully believed that there is full compliance with 37 C.F.R. Section 1.48(c) in its entirety. Therefore, it is respectfully requested that this petition be granted. Further, the Applicant believes that the application is now in condition for allowance and requests that the claims be allowed to proceed to issuance. If a telephone conference would facilitate resolving

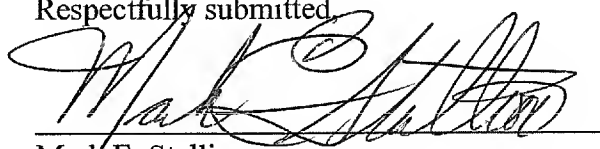
Application of: Brian K. Fetting, et al.  
Serial No.: 10/708,013  
Amendment After Final

any issue related to this Amendment, the undersigned attorney would appreciate and welcome such telephone conference. Contact information is provided below.

Date:

2/20/2009

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark E. Stallion', written over a horizontal line.

Mark E. Stallion  
Reg. No. 46,132  
Husch Blackwell Sanders LLP  
720 Olive Street, Suite 2400  
St. Louis, MO 63101  
314-345-6000  
ATTORNEYS FOR APPLICANT